

its own irrigation system and without allowing the same to flow into said northerly pond, said change to be made at the expense of the said Spring Hill Irrigation Company.

The Spring Hill Irrigation Company is not entitled to any waters of the lower or northerly pond, except the waters which are measured in from the second or center pond.

The Avery Irrigation Company is entitled to the first right to the use of the waters of the lower or northerly pond until their right or the capacity of their ditch, which is 8 sec. ft. has been reached. After that right has been satisfied, the HEPPLER right, with priority of 1890, and subsequent to the Avery right is to be satisfied.

FRANK J. HEPPLER is entitled to the use of the ponds for fish culture; that he must use reasonable diligence so as to not unnecessarily interfere with the prior rights as herein set forth.

A gate will be provided at the outlet of the lower or northerly pond to divert the water from the said pond and that a weir, divider or other measuring device be installed which is adjustable in its character, capable of permitting the commissioner to adjust it and divide the water to the parties respectively entitled thereto as hereinabove set forth.

The diverting works will be under the supervision of the Court and costs equally borne between the AVERY IRRIGATION COMPANY and the SPRING HILL IRRIGATION COMPANY.

F. RIGBY, et al, Mutual Association

Priority: 1880. Acreage: 340.7. Claim No. 404. Diversion No. 418. Amount: 8.52 c. f. s. Period of Use: April 1st to October 15th. Point of Diversion: From Fish Ponds and Springs at a point 350 feet S. and 1600 feet E. of the NE corner of Sec. 5, Twp. 24 S., R. 2 W., into the Rigby Ditch and used to irrigate 340.7 acres of land owned and described as follows:

F. RIGBY: 222.8 acres, Section 33, Township 23 South, Range 2 West.

DANIEL PETERSON: 39.1 acres, Section 33, Township 23 South, Range 2 West.

HENRY PETERSON: 78.8 acres, Section 28, Township 23 South, Range 2 West.

HENRY PETERSON, et al, Common Users.

Priority: 1880. Acreage: 295. Amount: 7.38 c. f. s. Claim No. 405. Diversion No. 419. Period of Use: April 1st to October 15th. Point of Diversion: From fish ponds and spring at a point 1900 feet S. and 1550 feet W. of the NE corner of Section 33, Township 23 South, R. 2 W., into the Peterson ditch. Used to irrigate 295 acres of land as follows:

GEORGE H. PETERSON: 115.4 acres, 28.1 acres in Section 28, and 87.3 acres in Section 27, Twp. 23 S., R. 2 West.

HENRY PETERSON: 10 acres in Section 28, Twp. 23 S., R. 2 W.

J. B. WILSON: 68.3 acres in Section 28, Twp. 23 S., R. 2 W.

FRANK RIGBY: 24.9 acres in Section 33, Twp. 23 S., R. 2 W.